

# DECISION MEMO

## Catherine Creek Summit Thinning Project

USDA Forest Service  
Wallowa-Whitman National Forest  
La Grande Ranger District  
Union County, Oregon

### Background

The Catherine Creek Summit Thinning project area is located at the Catherine Creek Summit, 14 miles SE of Union, Oregon. The unit boundaries of this project are adjacent to Hwy 203, with a legal description of T5S R41E Section 27. The selected units were previously treated during the South Fork WUI pre-commercial thinning, hand piling, and prescribed burning project. Stands are currently overstocked with structures in the understory re-initiation (UR) stage. Field reconnaissance has indicated three units would benefit from a commercial thinning treatment (HTH) aimed at reducing stand densities, enhancing stand growth and promoting fire tolerant species (western larch, ponderosa pine and Douglas-fir). Unit 1 (approximately 35 acres), Unit 2 (approximately 11 acres), and Unit 3 (approximately 21 acres) were selected for commercial thinning treatments using ground based harvest equipment.

This project is located on National Forest System (NFS) lands within Management Area (MA) 1, Timber production emphasis, of the 1990 Wallowa-Whitman Forest Plan. Management direction for this designation "emphasizes wood fiber production on suitable timber lands while providing relatively high levels of forage and recreational opportunities." No wilderness, potential wilderness, wilderness study areas, inventoried or un-inventoried roadless areas are present in the project area. Slopes in the area are typically less than 35% and suitable for mechanical harvest.

### Decision

As District Ranger for the La Grande Ranger District, it is my decision to proceed with the Catherine Creek Summit Thinning Project. Harvested trees would be transported to existing roads using ground-based tractor logging systems. Access to Unit 2 will require a temporary road use permit from an adjacent private landowner for use of Forest System Road 7700990. Temporary road construction and skid trail networks will be minimized, mitigated for adverse effects to soil conditions, and utilized for short term access needs. Overall soils and site productivity will be protected through use of best management practices (BMP's) described in the management requirements, constraints and mitigation measures section of this decision.

The following table summarizes approximate acres and estimated volumes associated with this decision.

Unit Numbers	Acres	Volume
1	35	387,496
2	11	126,427
3	21	121,256
Total	67	635,179 board ft

Harvest within this project area will be completed in less than 3 operating seasons after award of the contract. Fuels generated from harvest activities will be evaluated after the project is completed to determine appropriate fuels treatment strategies. Fuels treatments will depend upon the type of ground based harvest method used (whole tree yard vs. manual felling vs. cut to length) and may include burning of landing and other slash piles, or application of a prescribed broadcast under burn.

## Management Requirements, Constraints and Mitigation Measures

The following items will be applied to the proposal as it is implemented on the ground.

### A) Soil Quality

Soil productivity will be maintained by complying with Regional standards and guidelines in FSM 2521.03, R6 Supplement 2500-98-1. The standard is to leave at least 80% of an activity area in acceptable soil quality condition. Specific standards are defined for soil compaction, puddling, displacement, burning, surface erosion and mass wasting. Guidelines are defined for organic matter and soil moisture regime.

Monitoring of the sale layout and contract administration will be utilized to ensure proper application of all identified constraints and mitigating measures. Ground-based harvest units will be monitored to ensure adequate spacing between skid trails, equipment will be restricted to skid trails, and wet weather yarding will be prevented. Compaction and displacement will be minimized to less than 20% of the unit acres.

The following soil guidelines from the Wallowa-Whitman National Forest publication, *Watershed Management Practices - Guide for Achieving Soil and Water Objectives* (BMPs) are applicable to this sale:

**Existing infrastructure:** Existing landings and skid trails will be used as much as reasonable and practical.

**Soil Moisture:** Under saturated soil conditions no off-trail skidding is allowed. Skidding on designated trails may be allowed as long as such use does not cause deep rutting or high erosion potential. Allowing skidding under these conditions makes mitigation by subsoiling less effective and should be avoided both on and off trails. Existing skid trails will be used as much as reasonable and practical.

### B) Water Quality

#### 1. *Water Quality Standards*

Meet water quality standards for Waters of the State of Oregon (Oregon Administrative Rules, Chapter 340-41) through project design, application, and monitoring of best management practices (BMPs) as defined in the Code of Federal Regulations [40CFR 130.2(m)]. BMPs are used for various situations encountered during layout and administration of the timber sale contract and other activities. BMPs are listed in several sections of these constraints, including the "Logging and Sale Design" section, and in other documents, including the Wallowa-Whitman Watershed Management Practices Handbook, which is on file at the La Grande Ranger District.

If monitoring shows that mitigation measures of BMPs are not being implemented as planned by the interdisciplinary (ID) team, or are not being effective in meeting resource objectives, activities will cease or be modified to correct problems.

#### 2. *Erosion Control Methods*

Highly disturbed areas (which may include: skid trails, temporary road, landings) will be seeded. The seed mix to be used will consist of native species approved by the district botanist. Seed application rates will be adjusted, as needed, to generate vegetation densities adequate for providing a deterrent to noxious weed invasion.

Seed will be certified weed free, per the Wallowa-Whitman Integrated Noxious Weed Management Plan protocol.

**C) Riparian Habitat Conservation Areas (RHCAs) and Fisheries**

'No activity' RHCA buffers were delineated along all riparian corridors, wetlands, intermittent streams, and other areas that help maintain the integrity of aquatic ecosystems. RHCAs are designed to:

- 1) Influence the delivery of sediment, organic matter, and woody debris to streams
- 2) Provide root strength for bank and channel stability
- 3) Shade the stream
- 4) Protect floodplains and water quality.

No project activities will occur within RHCAs.

**D) Wildlife**

**1) *Snags and Down Woody Material (for wildlife and soils)***

Snags have been identified and will be protected during sale layout and harvest operations, with the exception of those within 2 tree-lengths of a road. These snags will be felled for safety concerns and left in place. All other existing snags and down wood will remain on site.

**2) *Raptors***

No active nesting sites have been identified for this project area. This area is not considered nesting habitat for goshawks, and the project activities would not impair its function as foraging habitat. If this, or another, goshawk nest is discovered during implementation and determined to be active, treatment will halt and a nest core buffer will be installed.

**E) Fuels and Smoke Management**

***Project Generated Fuels:***

Fuels generated from harvest activities will be evaluated after the project is completed to determine appropriate fuels treatment strategies. Fuels treatments will depend upon the type of ground based harvest method used (whole tree yard vs. manual felling vs. cut to length) and may include burning of landing and other slash piles, or application of a prescribed broadcast under burn.

**F) Logging and Sale Design**

***General Soil and Water Mitigations:***

Ground-based yarding will not occur on terrain with over a 35% slope. Existing skid trails and roads will be used wherever possible.

The normal operating season for the area is July 1 to October 31.

To prevent road damage and maintain water quality, road use will be restricted to dry or frozen conditions. If road use is approved outside the normal operating season, drainage structures (waterbars, Utah dips) will be kept in a functional condition, and daily operations will be managed to minimize sediment transport from roads. Operations will cease when roads turn muddy and/or rutting occurs, resulting in sediment transportation.

**G) Range**

Allotment boundary fences and other improvements damaged during the grazing season will be repaired to their functional condition immediately and damage outside the grazing season will be repaired two weeks prior to permitted livestock entry. No tree that has a fence attached to it will be cut. All range improvements will be protected during prescribed burning activities.

**H) Proposed, Endangered, Threatened, and Sensitive Species (PETS)**

Biological evaluations and/or assessments have been completed for plants, fish, and wildlife PETS species. Contract provisions will be included to provide for the protection of areas where PETS may be discovered in the area during the contract period.

**I) Managing Competing and Unwanted Vegetation**

If new noxious weed infestations are located within the project area, a noxious weed inventory and site assessment will be completed. Currently inventoried sites will be treated prior to project implementation, and after project completion.

The following measures shall be implemented to reduce new establishment or spread of noxious weeds:

*Site Identification:*

Noxious weeds sites discovered during any phase of project implementation will be designated as "Areas to Protect" (no decking, skidding or equipment) and included in the contract package for use by the sale administrator.

*Clean Equipment:*

All equipment operated in the project area will be cleaned in a manner sufficient to prevent noxious weeds from being carried on to the project area. This requirement does not apply to passenger vehicles or other equipment used exclusively on roads. Cleaning, if needed, will occur off of National Forest System lands. Cleaning will be inspected and approved by the sale administrator in charge of administering the project.

*Avoid Contaminated Materials:*

All hay or straw used for mulching, erosion control, or other rehabilitation purposes will be weed free (per the Wallowa-Whitman INWMP protocol).

**J) Cultural Resource Protection**

The entire project area has been inventoried for cultural resources. The area has been recorded as cleared for project implementation; however, should a site be discovered during project activities, the heritage specialist will be notified immediately and appropriate protection measures employed.

**Rationale for the Decision**

It is my decision to proceed with this project because it will promote improved growth and development of large trees, enhance resiliency of treated stands, and capture timber value consistent with forest plan objectives for Management Area 1 lands. In addition, the project will contribute to the local economy by providing employment opportunities for local logging operators and log supplies to local mills supporting additional local employment and income.

Activities and mitigation measures included in this decision are consistent with forest plan standards and guidelines and are designed to maintain wildlife habitat conditions, water quality and long term site

productivity through retention of snags and down woody materials and logs, application of erosion control measures and identification of RHCA no entry buffers. Based on past, present, and reasonably foreseeable future actions, the responsible officials found that the individual and cumulative effects of the project were not significant in the NEPA context (40 CFR 1508.27). The Forest Service, therefore, concluded that the activities described in these categories do not individually or cumulatively have a significant effect on the human environment.

### **Reasons for Categorically Excluding the Decision:**

Decisions may be categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA) when they are within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 32.12 or 32.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

The proposed action can be categorically excluded from documentation in an EA or EIS because it complies with Category 12, 36 CFR 220.6(e)(12): Harvest of live trees not to exceed 70 acres, requiring no more than ½ mile of temporary road construction. This category can be found in Forest Service Handbook 1909.15-2014-1. This decision meets the intent of this category by mechanically harvesting approximately 67 acres of trees using existing road systems and temporary skid trails.

As disclosed in the following section, there are no impacts to extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment. Therefore, the decision to implement approximately 67 acres of harvest thinning does not warrant further analysis in an EIS or an EA. My conclusion is based on information presented in this decision document and the entirety of the project record.

### **Relationship to Extraordinary Circumstances:**

There are no extraordinary circumstances related to the project that may result in a significant individual or cumulative effect on the quality of the human environment. The rationale for this finding follows:

1. Steep Slopes or Highly Erosive Soils – The soils in the affected area are classified as having a low-moderate resistance to erosion. The activities are limited to slopes less than 35% steepness. This decision should not result in significant soil-related impacts.
2. Threatened and Endangered Species or Their Critical Habitat – The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. In accordance with Section 7(c) of this Act, a list of the proposed, threatened, or endangered species that may be present in the project area was developed for each species. As required by this Act, potential effects of this decision on listed species have been analyzed and documented in a Biological Evaluation (Project File).

The implementation of this project will have no effect on proposed, endangered, threatened, or sensitive fish species.

There will be no effect to any federally listed proposed, endangered, threatened or sensitive plant species. No regionally listed sensitive species were discovered, but project activities may impact undiscovered individual plants or habitat identified on the R-6 sensitive species list; however, they will not contribute to a loss of viability of, or move a species toward federal listing (FSM 2672.43).

Project activities will have no effect on proposed, threatened, or endangered wildlife species and no impact on sensitive species. There is potential for disturbance to individual goshawks and pileated

woodpeckers, however due to the size and location of this project it will have no influence on the viability of pileated or goshawk populations at the watershed scale or within the Wallowa-Whitman National Forest.

As required by this Act, potential effects of this decision on listed species have been analyzed and documented in a Biological Evaluation (refer to the project file). It was determined that this decision will have no effect on listed species or their critical habitats. This project will not lead to a Federal listing (FSM 2672.43) of the sensitive species addressed.

3. Floodplains, Wetlands, or Municipal Watersheds -

Floodplains: Executive Order 11988 is to avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as, “. . . the lowland and relatively flat areas adjoining inland and coastal waters including flood prone areas of offshore islands, including at a minimum, that area subject to a one percent [100-year recurrence] or greater chance of flooding in any one year.” The project is not located in or near floodplains. This has been validated by map and site-review. This decision will not affect floodplains.

Wetlands: Executive Order 11990 is to avoid adverse impacts associated with destruction or modification of wetlands. Wetlands are defined by this order as, “. . . areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.” The project is not located in or near wetlands. This decision will not affect wetlands.

Municipal Watersheds: Municipal watersheds are managed under multiple use prescriptions in land and resource management plans. There are no municipal watersheds in this project area. This decision will not affect municipal watersheds.

4. Congressionally Designated Areas – There would be no adverse impacts to wild and scenic rivers, wildernesses, or wilderness study areas.

5. Inventoried Roadless Areas and Potential Wilderness Areas - None of the activities included in the proposed project will be conducted in wilderness areas, potential wilderness areas or impair the suitability of wilderness. Additionally, this decision will not involve the construction of new permanent roads. There are no Inventoried Roadless Areas (RARE II or Forest Plan) in the decision area and the area does not meet criteria for potential wilderness outlined in FSH 1909.12 71.1. This decision will not affect Inventoried Roadless Areas or potential wilderness areas.

6. Research Natural Areas - There are no Research Natural Areas in the project area. This decision does not affect National Research Areas.

7. Native American Religious or Cultural Sites, Archaeological Sites, or Historic Properties or Areas -

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. Section 106 of the National Historic Preservation Act also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered in federal lands. It affords lawful protection of archaeological resources and sites that are on public and Indian lands. The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. It encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves through “in situ” preservation, but may encompass other actions to preserve these remains and items. This decision complies with the cited Acts. Surveys were conducted for

Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision. A 'no properties affected' determination was made.

Additionally, the Federal government has trust responsibilities to Tribes under a government-to-government relationship to insure that the Tribes reserved rights are protected. Consultation with tribes helps insure that these trust responsibilities are met. The Forest consulted with potentially affected tribes. The intent of this consultation has been to remain informed about Tribal concerns and ensure traditional uses and tribal treaty rights are protected. Staff-to-staff communication with the CTUIR occurred by email on November 07, 2016 and April 26, 2017, and during an in-person consultation meeting on May 30, 2017. No comments were received about the project.

This project has no potential to affect historic properties as disclosed in the heritage report in the project file.

## **Public Scoping**

This project was first published in the Winter 2016 Wallowa-Whitman National Forest Schedule of Proposed Actions (SOPA), which is a quarterly newsletter published by the Wallowa-Whitman National Forest. In addition to the SOPA, of which a live version is available on the web, a description of the project is also available on the Forest website at <http://www.fs.usda.gov/projects/wallowa-whitman/landmanagement/projects>. No comments were received about this project.

## **Findings Required By and/or Related To Other Laws and Regulations:**

My decision will comply with all applicable laws and regulations. I have summarized some pertinent ones below.

Federal Land Policy and Management Act - This Act allows the granting of easements across National Forest System Lands. The regulations at 36 CFR 251 guide the issuance of permits, leases, and easements under this Act. Permits, leases, and easements are granted across National Forest System lands when the need for such is consistent with planned uses and Forest Service policy and regulations. This decision is consistent with this Act.

Forest Plan Consistency (National Forest Management Act) - This Act requires the development of long-range land and resource management plans. The Wallowa-Whitman National Forest Plan (Plan) was approved in April 1990, as required by this Act. It has since been amended several times. The amended plan provides for guidance for all natural resource management activities. The Act requires all projects and activities are consistent with the Plan. The Plan has been reviewed in consideration of this project. This decision is responsive to guiding direction contained in the Plan, as summarized in Forest Plan Checklist in the project file; this decision is consistent with the standards and guidelines contained in the Plan.

I have determined that the proposed action is consistent with the Standards and Guidelines of the Wallowa-Whitman Forest Plan as amended, (refer to Standards and Guidelines Checklist in the Analysis File).

The project is consistent with Forest-wide standards and guidelines and the standards and guidelines of the following land allocations of MA-1: Timber production emphasis.

Surveys for Proposed, Endangered, Threatened, and Sensitive species were conducted where needed (refer to wildlife and botanical BEs).

No timber will be sold from lands not suited for timber production - 36 CFR 219.27 (c). Management prescriptions proposed for the harvesting of timber within this decision comply with requirements found at 36 CFR 219.27 (b) for manipulating tree cover.

All manipulation of vegetation in these compartments will comply with the seven requirements of 36 CFR

219.27(b) and meet the constraints and conditions of the Wallowa-Whitman Integrated Weed Management Plan.

This action is consistent with the Wallowa-Whitman National Forest Land and Resource Management Plan, as amended. The Forest Service, therefore, concluded that the activities described in this category does not individually or cumulatively have a significant effect on the human environment.

Endangered Species Act – See Relationship to Extraordinary Circumstances section above and biological evaluations in the Project file.

Sensitive Species (Forest Service Manual 2670) - This Manual direction requires analysis of potential impacts to sensitive species, those species for which the Regional Forester has identified population viability is a concern. Potential effects of this decision on sensitive species have been analyzed and documented in a Biological Evaluation (Plants BE, Fish BE, and Wildlife BE in Project File). Project activities may impact undiscovered individual plants or habitat for the Region 6 sensitive species; however, they will not contribute to a loss of viability of, or move a species toward federal listing (FSM 2672.43).

Clean Water Act - This Act is to restore and maintain the integrity of waters. The Forest Service complies with this Act through the use of Best Management Practices. This decision incorporates Best Management Practices to ensure protection of soil and water resources.

Wetlands (Executive Order 11990) - See Relationship to Extraordinary Circumstances section above.

Floodplains (Executive Order 11988) - See Relationship to Extraordinary Circumstances section above.

Federal Cave Resources Protection Act - This Act is to secure, protect, preserve, and maintain significant caves, to the extent practical. Site features and field review substantiate that no caves are in the area (Wildlife BE). No known cave resources will be affected by this decision.

National Historic Preservation Act - See Relationship to Extraordinary Circumstances section above and Heritage Report in the Project file.

Archaeological Resources Protection Act – See Relationship to Extraordinary Circumstances section above and the Heritage Report in the Project file.

Native American Graves Protection and Repatriation Act - See Relationship to Extraordinary Circumstances section above and Heritage Report in the Project file.

Wild and Scenic Rivers Act – There are no designated wild and scenic rivers impacted with this decision. See Relationship to Extraordinary Circumstances section above.

Environmental Justice (Executive Order 12898) - This Order requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this Act. Public involvement occurred for this project, the results of which I have considered in this decision-making. Public involvement did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

National Environmental Policy Act - This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with this Act.



**Administrative Review or Appeal Opportunities:**

This project is not subject to an administrative review or appeal pursuant 36 CFR 215.12(f). Therefore, implementation of this decision may occur immediately following signing of the decision memo.

Implementation is scheduled to occur in June of 2017.

**Contact Person**

For further information contact:

Thomas Burry – Sale Administrator  
Address: 3502 Hwy 30, La Grande, OR 97850  
Phone: (541) 962-8537  
Email: [tburry@fs.fed.us](mailto:tburry@fs.fed.us)

/s/ 

6/1/2017

---

BILL GAMBLE  
District Ranger  
La Grande Ranger District

---

Date

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's target center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-w, Whitten Building, 1400 Independence Ave. SW, Washington, DC 20250-9410 or call 202-720-5964 (voice or TDD).

USDA is an equal opportunity provider and employer.